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13 Co-Lead Counsel for Plaintiffs

14 [Additional counsel appear on signature page.]

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17 In re OPENWAVE SYSTEMS, INC.)
SHAREHOLDER DERIVATIVE)
18 LITIGATION)

Master File No. C-06-03468-SI

STIPULATION AND [PROPOSED] ORDER
TO EXTEND TIME

19 This Document Relates To:)
20)
21)

ALL ACTIONS.

1 WHEREAS, on December 29, 2006 plaintiffs filed a Consolidated Verified Shareholders
2 Derivative Complaint;

3 WHEREAS, on May 17, 2007 this Court entered an Order dismissing plaintiffs'
4 Consolidated Verified Shareholders Derivative Complaint;

5 WHEREAS, on June 29, 2007 plaintiffs filed an Amended Consolidated Verified
6 Shareholders Derivative Complaint;

7 WHEREAS, on June 26, 2007 this Court entered an Order setting a briefing schedule in this
8 action;

9 WHEREAS, pursuant to the June 26, 2007 Order, defendants filed motions to dismiss on
10 July 31, 2007 and plaintiffs' opposition to the motions to dismiss is due on August 31, 2007;

11 WHEREAS, on August 30, 2007 plaintiffs' counsel sought defendants' counsel's agreement
12 to extend the date by which plaintiffs must file a single consolidated opposition brief by five days;
13 and

14 WHEREAS, defendants' counsel indicated they do not object to a consolidated opposition
15 brief or an extension of time and the parties agreed to a briefing schedule for defendants' reply brief.

16 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the parties,
17 through their respective counsel of record, as follows:

18 1. Plaintiffs may file a single consolidated opposition of 50 pages or less to defendants'
19 motions to dismiss by September 5, 2007;

20 2. Defendants may file any reply briefs by September 26, 2007;

21 3. The hearing scheduled for October 12, 2007 at 9:00 a.m. will not be affected by this
22 stipulation.

23 IT IS SO STIPULATED.

24 DATED: August 30, 2007

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s/ Benny C. Goodman III
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Co-Lead Counsel for Plaintiffs

I, Benny C. Goodman III, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order to Extend Time. In compliance with General Order 45, X.B., I hereby attest that Garrett J. Waltzer has concurred in this filing.

DATED: August 30, 2007

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1 *I, Benny C. Goodman III, am the ECF User whose ID and password are being used to file*
2 *this Stipulation and [Proposed] Order to Extend Time. In compliance with General Order 45, X.B.,*
3 *I hereby attest that Paul J. Collins has concurred in this filing.*

4 DATED: August 30, 2007

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11 Attorneys for Nominal Defendant Openwave
12 Systems, Inc.

13 *I, Benny C. Goodman III, am the ECF User whose ID and password are being used to file*
14 *this Stipulation and [Proposed] Order to Extend Time. In compliance with General Order 45, X.B.,*
15 *I hereby attest that Lee H. Rubin has concurred in this filing.*

16 DATED: August 30, 2007

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24 Kennedy, Donald J. Listwin, Michael C. Mulica,
25 Joshua A. Pace, Steve Peters, David C.
26 Peterschmidt, Allen E. Snyder and Simon
27 Wilkinson

28 * * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _____


THE HONORABLE SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that on August 30, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I have mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on August 30, 2007.

s/ Benny C. Goodman III
BENNY C. GOODMAN III

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Mailing Information for a Case 3:06-cv-03468-SI

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Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to

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